

Dear Paul,

11/14/77

Your letter of the 9th with the enclosure dated 10/8/77 10/31/77 came in today's mail. It was not possible for me to look at them until about bedtime. I will be sleeping on what follows.

First of all, do not assume that I receive documents that are released. The FBI did not provide those you refer to in your 10/8. That must be because I have about 25 overdue requests of them. For all, and long ago including all on Oswald.

The Army and Army intelligence and related organizations have been insisting that they have no files on the JFK assassination of any kind. I've not only appealed, I've carried the complaint to the DoD, without results. So, unless they lied to me, all those records to which you refer do not exist.

Specifically with Powell's Dallas outfit, was it 112?—they moved those records to Indiantown Gap, Pa., where there is a storage depot, and insists not all those records exist, yet. (I forced this as a Powell request.)

Of course I knew of Army records. I did not know of those referred to in the FBI documents, however.

I've been sitting on this for a while. Now I think I'll make it available to Les Whitten in the morning. I'll read a few of your quotes from their records and from their letters to me. But I'll also give him your name and phone and tell him to ask you for anything from you. Problem is he probably won't get to his office until you have left for work. (I presume you'd work — you've never said.) Remember, he has a five-day spread.

While I believe that Army is not alone in having denied having any records until I can check files I cannot specify or be sure.

So while I want you to know immediately of the alleged non-existence of any Army or Army intelligence records for your own information and so you can carry your own work forward, I ask you not to use it out there. If Les can't go with it I know others who will and who will not be nutty. I also ask that you not tell the committee. I have not changed my opinion of them. They are still in the gutters, whatever good experiences you have had with Donovan. (They have taken secret testimony from DeLoach and Willens and the staff has talked to others, including Lister and Slawson.)

I'd appreciate your sending me copies of these records, preferably in duplicate so I can give one to Jim for him to use because we are in negotiations with DOJ lawyers on another case and because the record in the King case shows that as of over a year ago they had two dozen JFK FOIA requests they were still stonewalling. (They've given me nothing since, either.) Let me know the cost.

I'd like to send copies of your memo to the DoD official and to all those who claimed they had no records. (This can be very important in FOIA in terms of good faith.) But I would not do it without your permission and I should not do it with your letter to Donovan part of it. In this case I'd probably also want a few extras and would probably send one to the Secretary of the Army. So if you can manage maybe six, without the Donovan letter, I'll write those who have claimed there are no records and enclose that.

Jim may well believe that the release of those FBI records without any one coming to me when I have so many inclusive requests unmet, when we are in regular and personal contact with the FBI FOIA unit and when others in the Department have been talking for months about records about to come to me are relevant in the King case, where the FBI is really stonewalling despite all I've gotten from it. I think it would be good if you could give him as complete a record of their release as rapidly as possible. We have another large conference with DOJ and FBI Friday morning and an in camera session with them and the judge on the 21st. I have obtained internal FBI records stating that it had been ordered that my requests not be complied with. I can tie it to Hoover. Mine were the first, as you know. So really in all the cases this can be quite relevant. Jim may even want to try to use it on appeal.

which is where the spectro and transcripts cases are now.

If you have not sent copies of these things to Howard I encourage it. If you have not been in touch with him since he moved to Jacksonville, Fla., his address is 5885 Edenfield Rd., #829, zip 32211. I'll carbon him.

I've been waiting for the right moment to use the Army's claim not to have any records on the JFK assassination. That Houston/Fidell bit is what now decides me.

I'll discuss this with Jim. But again I ask you to discuss it with nobody. Unless you see what I plan in print.

Experience and knowing the people tells me that this is the kind of thing that can turn influential ones around where all the evidence and reason in the world will not.

In fact if Jim agrees we'll use this on the FBI's good faith in our meeting with them and the AF people Friday. There is no need there to use more than that they released and withheld from me despite my requests and despite my testimony on them a year ago September in C.A. 75-1996.

I sure am sorry you delayed a month letting me know that the FBI had released these records. It could have made a hell of a difference in several cases, three I think, and could have been in court records before appeal stage. It could have been of great significance to Jim. With copies of the Army Intelligence letters to me maybe more so because of the insulting manner in which they refer to the JFK assassination. I want the assassination itself, not critics.

Thanks to Howard's diligence we have some new Archives and GSA records relating to me and my requests. I gave Howard a release and he kept pushing. The releases are incomplete, but then in clear violation of my requests, and show them at a loss to know what to do about me. Rep. we saw transfer, etc. We now have them, including the lawyers, written deliberate lies. They know all along they could not withhold. But they did. I have been working on putting the same kind of case together in the official responses in the King FOIA case. I think that when it can put it all together it will amount to something.

Your Scherr case is not ungenerous to him. I have the impression you prepared both with the committee in mind. That is your affair. To me they are not all Donovans. I know some of the really crazy stuff they have done since Blacky. It ranges from interviewing those even Garrison did not dare use, and keeping after it, to turning an FBI informer over to "Mr. Lane. Who doesn't know that I knew. So don't tell anyone. Lookman is the Garrison one, if you did not see Gardner's story. I told him. And they appear to remain close to Lane, as of what I heard today, attributed to Lane.

But on Scherr, did not the Church/Schweiker committee/subcommittee get that up? This is the inevitable consequence of the superficial as well as the nutty stuff.

Best,